

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**
(Special Original Jurisdiction)

PRESENT
THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No.26360 of 2006

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Date: 20.12.2006

Between:

A.M.M.U.P. School, Saverala Street,
Chinna Bazar, Nellore.
Rep. By its Correspondent Sri S.Malyadri.

..... PETITIONER

AND

The State of A.P., rep. By its
Secretary, Education Department,
Secretariat Building, Saifabad,
Hyderabad and two others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No.26360 of 2006

ORDER:

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In this writ petition, the petitioner-Institution seeks direction by way of *mandamus* declaring the action of the respondents in not paying maintenance grant to it in terms of the order issued by the Government in G.O.Ms.No.320, Education (PS-II) Department, dated 16.09.1994, as illegal and arbitrary.

It is the case of the petitioner that right from the date of its inception till March, 2002 maintenance grant was paid to it. The grant was released *vide* proceedings, dated 03.08.2001, in RC.No.3977-A8/99 by the District Educational Officer, Nellore. But, however, the grievance of the petitioner is that after March, 2002, maintenance grant is not being paid to it though similarly situated schools are receiving the same.

Whether the petitioner is entitled to maintenance grant or not is a matter which is required to be considered by the competent authority i.e., the District Educational Officer, Nellore. However, the petitioner has placed on record the copy of the order dated 03.08.2001 passed in Proc.RC.No.3977-A8/99 extending the grant to it. Though it is the case of the petitioner that the same was abruptly stopped from March, 2002, there is no order rejecting the claim of the petitioner.

Under the above circumstances, I dispose of the writ petition permitting the petitioner to make a representation to the District Educational Officer, Nellore, for maintenance grant, which it is entitled to, by enclosing the necessary Government Orders issued in this regard, within a period of four weeks from today. On filing such representation, the District Educational Officer, Nellore shall consider the claim of the

petitioner in terms of G.O.Ms.No.320, dated 16.09.1994 and pass appropriate orders, within a period of two months from the date of filing such representation.

Subject to the above directions, the Writ Petition is disposed of.
There shall be no order as to costs.

R. Subhash Reddy, J

Date: 20.12.2006

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